



WASHOE COUNTY

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CM/ACM	_____
Finance	_____
DA	<u>N/A</u>
Risk Mgt.	<u>N/A</u>
HR	<u>N/A</u>
Other	<u>N/A</u>

STAFF REPORT
BOARD MEETING DATE: January 26, 2016

DATE: January 12, 2016

TO: Board of County Commissioners

FROM: Kevin Schiller, Assistant County Manager
328-2008, kschiller@washoecounty.us

THROUGH: John Slaughter, County Manager,
328-2060, jslaughter@washoecounty.us

SUBJECT: Request to approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Tryke Companies Reno, LLC to move a medical marijuana dispensary from the location issued a State of Nevada provisional medical marijuana certificate at 10 Stateline Road in Crystal Bay, Nevada to a new location at 5105 Sun Valley Boulevard in Sun Valley, Nevada. If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request. (Commission Districts 1 and 3).

SUMMARY

Request to approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Tryke Companies Reno, LLC to move a medical marijuana dispensary from the location issued a State of Nevada provisional medical marijuana certificate at 10 Stateline Road in Crystal Bay, Nevada to a new location at 5105 Sun Valley Boulevard in Sun Valley, Nevada. If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request. (Commission Districts 1 and 3).

Washoe County Strategic Objective: Proactive Economic development and diversification.

PREVIOUS BOARD ACTION

On May 13, 2014, the Board discussed a request by the City of Reno to increase the City's medical marijuana dispensary allocation. The County Commissioners stated that it was premature at this time to consider increasing any one local government jurisdiction's allocation of dispensaries and the Commission would consider the matter at a future date

when appropriate. The Board of County Commissioners continued the item on June 17, 2014.

On June 24, 2014 the Board received an update and approved an ongoing process for updates from staff including a process to review potential dispensary locations within the County related to future action on dispensary allocation.

The Board received an update on July 8, 2014 and approved the continued process to review potential dispensary locations within the County related to future action on dispensary allocation, and requested a presentation on process for applicants.

The Board received an update on July 22, 2014 and approved the continued process to review potential dispensary locations within the County related to future action on dispensary allocation.

On August 12, 2014 the Board took action to direct staff to notify the State of Nevada of the request for an allocation of five dispensaries for Washoe County, three for the City of Reno, and two for the City of Sparks.

The Board of County Commissioners received an update on December 9, 2014 on medical marijuana establishment regulations and processes for the State of Nevada and for unincorporated Washoe County.

On July 14, 2015, the Board directed staff to contact the State of Nevada, Division of Public and Behavioral Health to request that the State issue a provisional registration certificate to the sixth ranked medical marijuana dispensary pursuant to the provisions of Senate Bill 276. The Board also discussed the public review process for future MME location changes as outlined in Senate Bill 276.

On September 22, 2015 the Board directed staff to amend Washoe County Code Chapter 25 to for compliance with State Law changes resulting from the 2015 Nevada State Legislative Session.

On December 8, 2015 the board received acknowledged a presentation and gave direction to staff on Recreational Marijuana Establishments and related matters in Washoe County; and an acknowledged an update on Medical Marijuana Establishments and direction to staff on related matters within Washoe County.

BACKGROUND

During the 2015 Legislative Session, Senate Bill 276 was passed amending NRS 453A. The bill was signed in to law and was effective June 9, 2015. NRS.453A.350(3) enables a current dispensary to request a move from an another qualified location within unincorporated Washoe County. The Board may approve the move at a public meeting for which notice in writing is provided 7 working days prior to the approval. Staff is requesting direction on a process for approval of any requested moves from existing locations by an applicant.

NRS 453A.350(3) "A medical marijuana establishment may move to a new location under the jurisdiction of the same local government as its original location regardless of the distance from original location if the operation of the medical marijuana establishment at the new location has been approved by the local government. A local government may approve a new location pursuant to this subsection only in a public hearing for which written notice is given at least 7 working days before the hearing."

Tryke Companies, Reno, LLC has requested a move from the currently approved location of 10 Stateline Road in Crystal Bay in accordance with their certificate from the State of Nevada to operate a MME Dispensary to new location at 5105 Sun Valley Blvd., Sun Valley, Nevada. The newly requested location meets all County required zoning requirements pursuant to Washoe County Code (WCC) Chapter 25 (Business License Ordinance) and Chapter 110 (Development Code) as amended in April 2014 to regulate Medical Marijuana Establishments (MME) in unincorporated Washoe County. Per previous direction from the Board, a public meeting was scheduled and held as follows:

Location: Sun Valley Community Center, 115 W. 6th Avenue, Sun Valley Nevada 89433 from 5:30 - 6:30 pm.

Panel: Brett Scolari, Steve Scolari, and Ryon Walters representing Tryke Companies, Reno, LLC and Kevin Schiller, Assistant County Manager.

Attendees: 20 attendees signed in including representatives from the Sun Valley General Improvement District (30 total counted in room)

Notice: Noticing for the Sun Valley Neighborhood Meeting used the regulatory process outlined for special use permit as a guideline for noticing. In addition staff distributed information in county news email system, Washoe County Website and through local partners. Notification included a direct mailer to parcels 500 feet or minimum of 30 property owners. Mailers were distributed to 102 property owners in Sun Valley, 10 calendar days prior to the meeting. Noticing map attached in addition to notice as provided below:

- County News email to residents in District 3 and District 5
- Posting to the front page of the Washoe County website, update on the MME website
- Direct email to Sun Valley CAB members and Sun Valley General Improvement District

Resident Concerns:

- Security - facility security and effects of loitering
- Traffic, specifically ingress and egress onto Sun Valley Blvd. that creates a traffic and pedestrian safety hazard. Noted corner of 1st and Sun Valley has high number of traffic accidents

- Proximity to local school using the same access routes (Cross Street 1st Ave is access road from Sun Valley to Lois Allen Elementary)
- Cultural concerns - availability of product to those who are not medical patients, reflection on the values of the community.
- Concern regarding multiple dispensaries in Sun Valley
- Concern about the public review process prior to expanding public hearings into the community on dispensary moves
- Public meeting noticing

The panel addressed general questions on the delivery of products, security, employment requirements, local review and State review processes specific to all regulation. Tryke Companies, Reno, LLC also provided information specific to their history within the community and investment in improving the Sun Valley area addition of their business. Tryke Companies Reno, LLC discussed the high level of security as required in regulation and its importance in their conducting business. An overview was also provided regarding the regulatory and statutory requirements of for Medical Marijuana Establishments, the role of the County versus the State of Nevada, Division of Public and Behavioral Health, and the process required for a relocation request through the Board of County Commissioners.

In addition, following the meeting Tryke Companies Reno, LLC provided a tour of their Sparks facility to member of the Sun Valley General Improvement District, County staff, and Commissioner Jung given their facility at the 5105 Sun Valley Blvd, will be modeled similarly.

FISCAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDATION

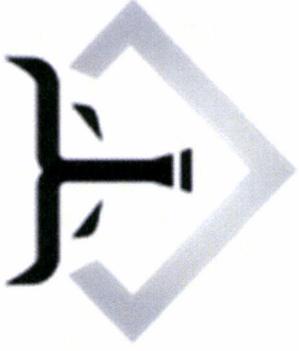
It is recommended that the Washoe County Board of County Commissioners approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Tryke Companies Reno, LLC to move a medical marijuana dispensary from the location issued a State of Nevada provisional medical marijuana certificate at 10 Stateline Road in Crystal Bay, Nevada to a new location at 5105 Sun Valley Boulevard in Sun Valley, Nevada. If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to approve the relocation of a medical marijuana dispensary within unincorporated Washoe County pursuant to section 3 of Senate Bill Number 276 as signed into law on June 9, 2015. The request is from Tryke Companies Reno, LLC to move a medical marijuana dispensary from the location issued a State of Nevada provisional medical marijuana

certificate at 10 Stateline Road in Crystal Bay, Nevada to a new location at 5105 Sun Valley Boulevard in Sun Valley, Nevada. If approved, direct staff to notify the State of Nevada Division of Public and Behavioral Health in writing of the Board's approval of the relocation request."



TRYKE
COMPANIES



5105 Sun Valley Blvd., Building B
Medical Marijuana Dispensary
January 26, 2016

- **The Tryke team brings 17 years of combined experience in dispensary operations.**
- **Tryke is proposing a first class patient experience at Reef Dispensaries, providing a safe, comfortable and educational environment.**
- **The floor plan mock-up shows an overhead view of a proposed design and layout of the Dispensary.**
- **A patient will enter through the public access point and be greeted by a receptionist and waiting area.**
- **Once the patient is checked in and verified, the patient will be escorted to a patient education room greeted by a patient consultant.**
- **Having 17 years of the Dispensary operation experience, patient and symptom knowledge, the Tryke Team's comprehensive approach helps our patients access to many forms of treatment options given each patient's unique circumstances.**
- **The Tryke Team's experiences and training allows us to carefully compile information to match the symptom relief associated with particular cannabis strains.**
- **An interactive program will allow our Patient Consultants to work with patients to select the most appropriate medicine for the particular set of symptoms.**
- **Once the patient has selected a medicine he or she will safely and securely checkout with a cashier and exit the dispensary.**

- **The renderings and pictures of Tryke's other locations give you an idea of the high quality design and planned patient experience at Reef Dispensaries.**
- **In Tryke's integrated plan for the Dispensary, medicinal product will never leave our custody, thereby providing the greatest possible security of the patient, product and staff, as well as providing regulators ease of oversight.**
- **Controlled access points throughout, panic buttons, 24 hour surveillance and on-site security will all be part of our operations to achieve a safe and secure environment.**

